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6 Attorneys for Plaintiff,  
 7 Liberty Media Holdings, LLC

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 LIBERTY MEDIA HOLDINGS, LLC )

Case No. 12-cv-00923-LRH-GWF

11 Plaintiff, )

12 vs. )

13 SERGEJ LETYAGIN d/b/a  
 14 SUNPORNO.COM, IDEAL CONSULT,  
 15 LTD., “ADVERT”, “CASTA”,  
 16 “TRIKSTER”, “WORKER”, “LIKIS”,  
 “TESTER” and DOES 1-50

17 Defendants )

**CONCURRENCE AND STIPULATION TO  
 DEFENDANTS’ REQUEST FOR LEAVE  
 TO ACCEPT LATE-FILED REPLY IN  
 SUPPORT OF MOTION TO DISMISS [ECF  
 31]**

18  
 19 The Defendants filed a motion, styled a “request,” seeking very reasonable relief in the  
 20 form of this court’s forgiveness for filing its Reply brief a mere two minutes past the deadline.  
 21 (ECF 31). The Defendants claim that the Plaintiff suffered no prejudice from this delay. The  
 22 Plaintiff concurs that there is no prejudice from the Reply being a mere two minutes late, and the  
 23 Plaintiff stipulates that the Court should grant the relief sought. Nevertheless, the Motion  
 24 requires a brief response to its questionable rationale.

25 Defendant’s counsel claims that he was unable to file his Reply brief two (2) minutes  
 26 earlier because counsel for Plaintiff, Marc Randazza, filed an *unrelated* document in an  
 27 *unrelated* case involving *unrelated parties* in the U.S. District Court for the Southern District of  
 28 Florida. Moreover, the document in question was filed 6 days prior to the July 30<sup>th</sup> deadline, and

1 5 days after offering Mr. Gurvits a generous menu of potential extensions. (ECF 31-1). Mr.  
2 Gurvits declined to respond to the unsolicited offer for generous extensions of time.

3 Despite the fact that Gurvits received notice of the filing in Florida 11 days prior to the  
4 deadline in this case, he claims that it is Mr. Randazza's fault that despite the best efforts of all of  
5 the Defendants' attorneys, the deadline could not be met. This is all even though Defendant's  
6 counsel had not even appeared in the Florida matter, but had been contacted, informed of the  
7 impending filing, and offered very lengthy extensions of time. (ECF 31-1).

8 Plaintiff's counsel denies Gurvits' silly accusation that his actions in the Florida case  
9 were improper. Plaintiff's counsel also denies any ability to understand how any actions in the  
10 Florida case are relevant to this action, any more than he can understand why Gurvits did not  
11 simply ask for a stipulation with respect to the two-minute late filing. Mr. Gurvits filed the reply  
12 at 12:02 AM PST on July 31, 2012, and then did not filed the "request" until 8:42 PM PST that  
13 same day.

14 Plaintiff stipulates that no prejudice resulted due to Defendant filing his Reply in this  
15 action at 12:02 a.m., rather than at 11:59 p.m. Plaintiff would not venture to guess why  
16 Defendant believed that its two (2) minute delay warranted eight (8) pages of briefing and  
17 eighteen (18) pages of alleged supporting documentation.<sup>1</sup>

18 The Court should deem the filing of Defendant's Reply (ECF 30) timely and render a  
19 decision on the Motion to Dismiss for Lack of Personal Jurisdiction (ECF 16) on its merits.<sup>2</sup>

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26 <sup>1</sup> Plaintiff would likely begin to speculate and question it if the Plaintiff were Mr. Gurvits' client  
27 and received a bill for such a seemingly wasteful exercise.

28 <sup>2</sup> However, the Court should strike the evidence attached to the Reply on this motion. (ECF 31-1).

1 Dated: August 1, 2012

Respectfully Submitted,

s/Marc J. Randazza

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document was filed using this Court's CM/ECF system on August 1, 2012. As no other Defendants have been identified, they cannot be served.

Dated: August 1, 2012

Respectfully Submitted,

s/Marc J. Randazza

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